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SEP 23 2005

10/527,941

**FACSIMILE COVER SHEET**TO: United States Patent and  
Trademark Office

Serial No.: 10/527, 941

TELEFAX:

571-273- 8300

Mail Stop PCT

PHONE NUMBER:

COMPANY/FIRM:

Norris McLaughlin &amp; Marcus

FROM:

Christa Hildebrand

ATTORNEY DOCKET NO.:

104599-2

DATE:

September 23, 2005

**MESSAGE:**

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

- Response to Notice to File Missing Requirements ( 2 sheets) – **Charge Deposit Account**
- Copy of Notice (2 sheets)
- Declaration ( 3 sheets)
- Fee Transmittal – ( 1 sheet )

**CHARGE DEPOSIT ACCOUNT 14-1263**By Olimpia J. HildebrandDate September 23, 2005

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Doc Code: 104599-2

SEP 23 2005

PTO/SB/17 (12-04/v2)  
Approved for use through 07/31/2008. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |  |                                 |                 |
|--|--|---------------------------------|-----------------|
| <p>Effective on 12/08/2004.<br/>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2>FEE TRANSMITTAL<br/>for FY 2005</h2> |  | <p><b>Complete if Known</b></p> |                 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |  | Application Number              | 10/527,941      |
|  |  | Filing Date                     | March 16, 2005  |
|  |  | First Named Inventor            | GOLDSTAIN, Naum |
|  |  | Examiner Name                   | To be assigned  |
|  |  | Art Unit                        | To be assigned  |
|  |  | Attorney Docket No.             | 104599-2        |
| TOTAL AMOUNT OF PAYMENT (\$) \$65.00   |  |                                 |                 |

## METHOD OF PAYMENT (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit    Deposit Account Number: 14-1263    Deposit Account Name: Christa Hildebrand

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

### 2. EXCESS CLAIM FEES

| Fee Description  | Fee (\$)            | Small Entity Fee (\$) |
|--|---------------------|-----------------------|
| Each claim over 20 (including Reissues)                                | 50                  | 25                    |
| Each independent claim over 3 (including Reissues)                     | 200                 | 100                   |
| Multiple dependent claims  | 360                 | 180                   |
| <b>Total Claims</b>  | <b>Extra Claims</b> | <b>Fee (\$)</b>       |
| - 20 or HP =   | x                   | \$25.00 = \$0.00      |
| HP = highest number of total claims paid for, if greater than 20.      |                     |                       |
| <b>Indep. Claims</b>   | <b>Extra Claims</b> | <b>Fee (\$)</b>       |
| - 3 or HP =  | x                   | \$100.00 = \$0.00     |
| HP = highest number of independent claims paid for, if greater than 3. |                     |                       |

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$)     | Fee Paid (\$) |
|--------------|--------------|--|--------------|---------------|
| - 100 =      | 0            | / 50 0 (round up to a whole)                     | x \$125.00 = | \$0.00        |

### 4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)  
Other (e.g., late filing surcharge): Late submission of oath/declaration

\$65.00

|                   |                    |                  |        |           |                    |
|-------------------|--------------------|------------------|--------|-----------|--------------------|
| SUBMITTED BY      |                    | Registration No. | 34,953 | Telephone | 212-808-0700       |
| Signature         | Christa Hildebrand | (Attorney/Agent) |        | Date      | September 23, 2005 |
| Name (Print/Type) | Christa Hildebrand |                  |        |           |                    |

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450.

If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.

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**PATENTS**

**FACSIMILE CERTIFICATION**

I hereby certify that this paper and every therein  
is being faxed to 571-273-8300  
on the date indicated below and is addressed to: Mail Stop Missing Parts  
Commissioner for Patents, P.O. Box 1450, Alexandria, V.A. 22313-1450.

Olimpia Jakubowska-Wrobel 9/23/05  
Olimpia Jakubowska-Wrobel Date

PLEASE CHARGE ANY  
DEFICIENCIES UP TO \$600 OR  
CREDIT ANY EXCESS IN THE FEES  
DUE WITH THIS DOCUMENT TO OUR  
DEPOSIT ACCOUNT No. 14-1263

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney's Docket No. 104599-2

Applicant : GOLDSTEIN, Naum; GOLDSTEIN Roman  
Application No. : 10/527,941  
Filed : March 16, 2005  
For : Pharmaceutical Product for Endonasal Administration for Treating  
Central Nervous System Diseases and Disorders  
Group Art Unit : TBA  
Examiner : TBA

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United  
States Designated/Elected Office (DO/EO/US), submitted herewith is:

- a) copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United  
States Designated/Elected Office (DO/EO/US);
- b) the declaration required under 37 CFR 1.63; and

Page 1 of 2

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c) Fee Transmittal Form authorizing payment of the fees to deposit account no. 14-1263

Respectfully Submitted,



Christa Hildebrand (34,953)

Attorney Applicant

Norris, McLaughlin & Marcus, P.A.

875 Third Avenue -18<sup>th</sup> floor

New York, N.Y. 10022

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Response to File Missing Parts of 08/25/2005  
Attorney Docket No. 103821-8  
U.S. Serial No. : 10/527,941

Page 2 of 2

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/527,941                    | Naum Goldstein        | 104599-2 CH      |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/DE03/03376                |                       |                  |
| IA FILING DATE                | PRIORITY DATE         |                  |
| 10/11/2003                    | 10/17/2002            |                  |

27388  
NORRIS, MCLAUGHLIN & MARCUS  
875 THIRD AVE  
18TH FLOOR  
NEW YORK, NY 10022

CONFIRMATION NO. 2406  
371 FORMALITIES LETTER  
\*OC000000016773484\*  
\*OC000000016773484\*

Date Mailed: 08/25/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/16/2005
- English Translation of the IA filed on 03/16/2005
- Copy of the International Search Report filed on 03/16/2005
- Copy of IPE Report filed on 03/16/2005
- Preliminary Amendments filed on 03/16/2005
- Information Disclosure Statements filed on 06/28/2005
- U.S. Basic National Fees filed on 03/16/2005
- Priority Documents filed on 03/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/527,941                  | PCT/DE03/03376                | 104599-2         |

FORM PCT/DO/EO/905 (371 Formalities Notice)